



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

1595 Wynkoop Street  
Denver, CO 80202-1129  
Phone 800-227-8917  
www.epa.gov/region08

**DEC 22 2014**

8ENF-AT

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Don Anderson, CHMM  
Manager, Field Environmental  
Western Region  
Enterprise Products  
370 17<sup>th</sup> Street, Suite 3560  
Denver, Colorado 80202

Re: Section 114(a) Information Request for the Meeker Gas Plant, Rio Blanco County,  
Colorado

Dear Mr. Anderson:

The United States Environmental Protection Agency (EPA) hereby requires Enterprise Gas Processing, LLC (Enterprise) to provide certain information to determine the Clean Air Act (CAA) compliance status of the Meeker Gas Plant in Rio Blanco County, Colorado.

Pursuant to section 114(a) of the CAA, 42 U.S.C. § 7414(a), the Administrator of the EPA is authorized to require any person who owns or operates an emissions source to establish and maintain records, make reports, sample emissions (in accordance with the procedures and methods that the Administrator shall prescribe) and provide such other information as she may reasonably require for the purposes of determining whether such person is in violation of any provision of the CAA. In order for the EPA to determine whether a violation of the CAA has occurred, you are hereby required, pursuant to section 114 of the CAA, to provide responses to the following request for information regarding the facilities listed above. Accordingly, within thirty (30) calendar days from receipt of this request, you must respond to this request. See the Instructions and Definitions in Enclosure 1 and the Information Requested in Enclosure 2.

You are required to attach a properly executed Statement of Certification (Enclosure 3) with your response to this request. The statement must be signed and dated. This statement certifies that the response submitted to the EPA is true, correct, accurate, and complete, and that the response contains all documents and information responsive to this request that are known to you, following a complete and thorough review of all information and sources available to you. You are under an obligation to preserve all documents requested in this letter until you receive further instructions from the EPA.

Failure to provide the required information may result in the initiation of a civil action pursuant to section 113(b) of the Act, 42 U.S.C. § 7413(b). In addition, knowingly providing false information in



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response to this information request may be actionable under section 113(c) of the Act, 42 U.S.C. § 7413(c), and 18 U.S.C. §§ 1001 and 1341. The information you provide may be used by the EPA in administrative, civil, and criminal proceedings.

Under section 114(c) of the Act, 42 U.S.C. § 7414(c), and pursuant to regulations at 40 C.F.R. Part 2, including 40 C.F.R. § 2.301, you are entitled to claim as confidential any information you provide to the EPA which involves trade secrets and is regarded as confidential business information by you. For such information, you may request that the EPA treat such information as confidential. Any such claim for confidentiality must conform to the requirements of 40 C.F.R. § 2.203(b). Note that emissions information is not considered confidential under section 114(c). For detailed instructions, please see Enclosure 4 to this letter. Information you supply will be treated as confidential business information to the degree determined to be appropriate according to the regulations. If you fail to furnish a business confidentiality claim with your response to this information request, the EPA will construe your failure as a waiver of that claim, and the information may be made available to the public without further notice to you.

**YOU MUST SUBMIT ALL RESPONSIVE INFORMATION:** *Whether or not you make a claim of confidentiality.*

Please submit your response to this request to:

U.S. Environmental Protection Agency, Region 8  
Technical Enforcement Program (8ENF-AT)  
Office of Enforcement, Compliance and Environmental Justice  
1595 Wynkoop Street  
Denver, Colorado 80202-1129  
Attention: Laurie Ostrand

If you have any questions regarding this information request, please contact Laurie Ostrand at, 303-312-6437, or your counsel may contact Sheldon Muller, at 303-312-6916.

Sincerely,



*SJS* Suzanne J. Bohan  
Acting Assistant Regional Administrator  
Office of Enforcement, Compliance  
and Environmental Justice

Enclosures: 1) Instructions and Definitions  
2) Information Requested  
3) Statement of Certification  
4) Confidential Business Information

cc: Shannon McMillan, Colorado Department of Public Health and Environment



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## **ENCLOSURE 1:**

### **A. INSTRUCTIONS**

1. Provide a separate narrative response to each question and subpart or a question set forth in the information request.
2. Precede each answer with the number of the question to which it corresponds and at the end of each answer identify the person(s) that provided information that was used or considered in responding to that question, as well as each person that was consulted in the preparation of that response.
3. Indicate on each document produced in response to this information request, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where documents or information necessary for a response are neither in your possession nor available to you, indicate in your response why such documents or information are not available or in your possession and identify any source that either possesses or is likely to possess such documents or information.

### **B. DEFINITIONS**

All terms used in this information request will have their ordinary meaning unless such terms are defined in the Act, 42 U.S.C. § 7401, other CAA implementing regulations, or otherwise defined herein, in which case use the definition in the Act, the regulations or herein.

1. The term "Act" or "CAA" shall mean the Clean Air Act, 42 U.S.C. §§ 7401 et seq.
2. The terms "document" and "documents" shall mean any object that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by EPA, with all necessary documentation and support. All documents should also include all attachments to or enclosures for the document provided.
3. "EPA" shall mean the United States Environmental Protection Agency.
4. "LDAR" shall mean leak detection and repair.
5. "Subpart KKK" shall mean the Standards of Performance for Equipment Leaks of VOC From Onshore Natural Gas Processing Plants for Which Construction, Reconstruction, or Modification Commenced After January 20, 1984, and on or Before August 23, 2011, 40 C.F.R. §§ 60.630 *et seq.*
6. "Subpart HH" shall mean the National Emission Standards for Hazardous Air Pollutants From Oil and Natural Gas Production Facilities, 40 C.F.R. §§ 63.760 *et seq.*



## **ENCLOSURE 2:**

### **INFORMATION REQUESTED:**

Using the instructions and definitions set forth in Enclosure 1, provide the following information within thirty (30) calendar days from receipt of this request unless otherwise specified. If any of the information has been previously submitted to the EPA in its entirety, Enterprise has the option of resubmitting the information or identifying the previous submission and certifying that the previously-submitted information is true, accurate and complete in accordance with Enclosure 3. Terms in boldface are defined in Enclosure 1.

The EPA has taken information from Enterprise Meeker Gas Plant's **Subpart KKK** and **Subpart HH** semi-annual reports to create the table shown below. The table shows the valve counts that are subject to quarterly and annual LDAR monitoring for each process unit at the Meeker Gas Plant. Questions 1 - 4 refer to the table below.

1. From 6/30/13 to 12/31/13 the **Subpart KKK** total quarterly valve count decreased by 630 ( $5,608 - 4,978 = 630$ ). For each Process Unit identified in the table, please provide in an editable Excel spreadsheet on compact disc or other electronic storage media, a list of the valves removed, the date each valve was removed, and a detailed explanation of why each valve was removed.
2. As of 12/31/13, a total of 940 valves were added under **Subpart HH** quarterly monitoring. For each Process Unit identified in the table, please provide in an editable Excel spreadsheet on compact disc or other electronic storage media, a list of the valves added, the date each valve was added, and a detailed explanation of why each valve was added.
3. From 6/30/13 to 12/31/13 the **Subpart KKK** total annual valve count decreased by 41 ( $355 - 314 = 41$ ). For each Process Unit identified in the table, please provide in an editable Excel spreadsheet on compact disc or other electronic storage media, a list of the valves removed, the date each valve was removed, and a detailed explanation of why each valve was removed.
7. As of 12/31/13, a total of 78 valves were added under **Subpart HH** annual monitoring. For each Process Unit identified in the table, please provide in an editable Excel spreadsheet on compact disc or other electronic storage media, a list of the valves added, the date each valve was added, and a detailed explanation of why each valve was added.



Process Unit	Reg Subpart	Valve Qtrly 6/30/14	Valve Qtrly 12/31/13	Valve Qtrly 6/30/13	Valve Qtrly 12/31/12	Valve Annual 6/30/14	Valve Annual 12/31/13	Valve Annual 6/30/13	Valve Annual 12/31/12
Cond Tanks	KKK	1	1	14	13				1
	HH	13	13			1	1		
CTF Dewpoint	KKK	346	346	351	351	32	32	32	32
	HH	11	11						
Flare	KKK	8	8	8	8				
Inlet	KKK	193	345	432	432	7	23	24	24
	HH	86	86			1	1		
Meeker 1	KKK	1753	1751	1849	1849	85	87	93	93
	HH	147	147			9	9		
Meeker 2	KKK	2233	2243	2613	2615	132	132	160	161
	HH	465	465			33	33		
Piperack	KKK	283	283	285	285	40	40	39	39
Truck Loading	KKK	1	1	56	56			7	7
	HH	56	56			7	7		
MACT EEEE	HH	162	162			27	27		
Total	KKK	4818	4978	5608	5609	296	314	355	357
Total	HH	940	940	0	0	78	78	0	0
Total	KKK + HH	5758	5918	5608	5609	374	392	355	357

8. Provide in editable electronic format, on compact disc or other electronic storage media, a backup copy of the facility **LDAR** records management database for the five (5) years prior to the date of the information request. Provide the data in a format such that all information can be readily viewed in Microsoft Access. Include in your response the name and version of the fugitive emissions monitoring database program the facility is currently using.
9. Provide in editable electronic format, on compact disc or other electronic storage media, for each technician who performed **LDAR** monitoring at the site for the five (5) years prior to the date of the information request, gate/security records for each technician. The records must include daily entry and exit times from the plant for each technician.
10. Provide in editable electronic format, on compact disc or other electronic storage media, for each technician who performed **LDAR** monitoring at the site for the five (5) years prior to the date of the information request, the technician name, technician identification number used in the gate/security records, and technician identification number used in the **LDAR** records management database.



11. Provide copies of any work orders, or other **documents** generated, used to request, document, or otherwise address equipment repairs for the five (5) years prior to the date of the information request.
12. During the June 26, 2014 **LDAR** inspection, the EPA monitored leaks at the following valves: 06652<sup>1</sup>, 0476, 0482, 0578, 1888, and 2031. Meeker's **LDAR** contractor indicated that the contractor would re-monitor these valves the following day. For each valve identified in this paragraph, please provide the date and time each valve was monitored since the EPA inspection, the gas concentration recorded during each monitoring event, the dates of each attempt to repair the leak, the repair method applied for each attempt to repair the leak, and the date of successful repair of the leak. If a valve was put on a delay of repair please provide the reasons for the delay. Please provide all **documents** that contain information related to the monitoring and repair of each valve identified in this paragraph.
13. During the June 26, 2014 **LDAR** inspection, the EPA found approximately nine (9) untagged valves. In a response to Laurie Ostrand's June 26, 2014 email, Dan Anderson, Enterprise, indicated in a July 2, 2014 email, that new tag numbers were added for the following valves: 10176A, 10176B, 10176C, 10176D, 1186A, 1186B, 1186C, 1186D, and 1186E. Please provide the following information for each of these valves: where it is located; what regulation it is subject to (**Subpart HH or KKK**); when the valve was installed; and whether the valve had been included in the **LDAR** program previously. Please provide all **documents** that contain such information or are related thereto.
14. During the June 26, 2014 **LDAR** inspection, the EPA noted that the NGL Product Meter Skid, also identified as SDV-0874, contained equipment that were all untagged. Are the equipment on this skid subject to the **LDAR** program? If so, please provide the following for each piece of equipment: the identification number; type of component; what regulation it is subject to (**Subpart HH or KKK**); when the equipment was installed, and whether the equipment has been included in the **LDAR** program previously. If you have concluded that the equipment on the skid are not subject to the **LDAR** program, please provide a detailed explanation of how you concluded that the equipment is not subject to the **LDAR** program.

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<sup>1</sup> Multiple tags numbers, between 00647 – 06653, were near the valve found leaking. Meeker's **LDAR** contractor stated that he believed the valve found leaking was valve number 06652.



### ENCLOSURE 3

#### STATEMENT OF CERTIFICATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment.

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(Signature)

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(Title)

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(Date)



## **ENCLOSURE 4**

### **Confidential Business Information (CBI) Assertion and Substantiation Requirements**

You may assert a business confidentiality claim covering all or part of the information you provide in response to this information request for any business information entitled to confidential treatment under section 114(c) of the Clean Air Act (the Act), 42 U.S.C. § 7414, and 40 C.F.R. Part 2, subpart B. Under section 114(c) of the Act, you are entitled to confidential treatment of information that would divulge methods or processes entitled to protection as trade secrets. Under 40 C.F.R. Part 2, subpart B, business confidentiality means “the concept of trade secrecy and other related legal concepts which give (or may give) a business the right to preserve the confidentiality of business information and to limit its use or disclosure by others in order that the business may obtain or retain business advantages it derives from its rights in the information.” See 40 C.F.R. § 2.201(e).

Information covered by a claim of business confidentiality will be disclosed by the EPA only to the extent, and by means of the procedures, set forth in section 114(c) of the Act and 40 C.F.R. Part 2, subpart B. If you fail to furnish a business confidentiality claim with your response to this information request, the EPA will construe your failure as a waiver of that claim, and the information may be made available to the public without further notice to you.

To assert a business confidentiality claim, you must place on (or attach to) all information you desire to assert as business confidential either a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as “trade secret,” “proprietary,” or “company confidential” at the time you submit your response to this information request. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified, and may be submitted separately to facilitate identification and handling by the EPA. You should indicate if you desire confidential treatment only until a certain date or until the occurrence of a certain event.

The criteria the EPA will use in determining whether material you claim as business confidential is entitled to confidential treatment are set forth at 40 C.F.R. §§ 2.208 and 2.301. These regulations provide, among other things, that you must satisfactorily show that: (1) the information is within the scope of business confidentiality as defined at 40 C.F.R. § 2.201(e); (2) you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; (3) the information is not and has not been reasonably obtainable by legitimate means without your consent; and (4) the disclosure of the information is likely to cause substantial harm to your business’s competitive position. See 40 C.F.R. § 2.208 (a)-(d). Emission data, as defined at 40 C.F.R. § 2.301(a)(2), is expressly not entitled to confidential treatment under 40 C.F.R. Part 2, subpart B. See 42 U.S.C. § 7414(c); 40 C.F.R. § 2.301(e).

If you assert a claim of business confidentiality in connection with information and documents forwarded in response to this request for information, in accordance with 40 C.F.R. § 2.204(e)(4), the EPA is requesting that you answer the following questions with respect to any information or document for which you assert a claim of business confidentiality:

1. What specific portions of the information are alleged to be entitled to confidential treatment?  
Specify by page, paragraph, and sentence when identifying the information subject to your claim.





2. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a specified event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, specify that event. Additionally, explain why the information should be protected for the time period you've specified.
3. What measures have you taken to protect the information claimed as confidential from undesired disclosure? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available material such as the Internet, publicly available databases, promotional publications, annual reports, or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to the confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, explain with specificity whether disclosure of the information is likely to result in substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial, and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?
7. Is there any other explanation you deem relevant to the EPA's determination of your business confidentiality claim that is not covered in the preceding questions? If so, you may provide such additional explanation,

Submit your answers to the above questions concurrently with your response to this information request if you have claimed any information as business confidential. See 40 C.F.R. § 2.204(e)(2). Pursuant to 40 C.F.R. § 2.205(b)(2), you may request an extension of this deadline. The EPA will construe your failure to furnish timely comments as a waiver of your confidentiality claim, consistent with 40 C.F.R. § 2.204(e)(1). Please submit your comments to:

Sheldon Muller  
U.S. EPA Region 8  
1595 Wynkoop Street (ENF-L)  
Denver, CO 80202-1129  
(303) 312-6916

Pursuant to 40 C.F.R. § 2.205(c), you are hereby advised that information you submit as part of your comments may be regarded by the EPA as entitled to confidential treatment if, when it is received by the EPA, it is marked in accordance with 40 C.F.R. § 2.203(b). As required by 40 C.F.R. § 2.204(e)(6), you may assert a business confidentiality claim covering all or part of your response to these questions, as provided in 40 C.F.R. § 2.203(b). Information covered by such a claim will be disclosed by the EPA only to the extent, and by means of the procedures, set forth in Section 114(c) of the Clean Air Act (the Act) and 40 C.F.R. Part 2. The EPA will construe the failure to furnish a confidentiality claim with your comments as a waiver of that claim, and the information may be made available to the public without further notice to you.



